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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

HARPER, LEON JONATHAN

ART UNIT PAPER NUMBER

2166

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/629,479

Applicant(s)

BRIN ET AL.

Examiner

Leon J. Harper

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 7/28/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☒ Claim(s) 5,22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This office action is in response to the application 10629479 filed on 7/28/2003. Claims 1-36 are pending.

#### ***Claim Objections***

Claim 5 is objected to because of the following informalities: Claim 5 purports to modify the limitation "the at least one search characteristic" however there is no previous mention of search characteristic in neither claim 5 or claim 1 the claim from which claim 5 depends. It appears and examiner will assume for the purpose of this action that claim 5 was meant to depend on claim 4.

Appropriate correction is required.

Claim 22 is objected to because of the following informalities: Claim 22 purports to modify the limitation "the at least one search characteristic" however there is no previous mention of search characteristic in neither claim 22 or claim 18 the claim from which claim 22 depends. It appears and examiner will assume for the purpose of this action that claim 22 was meant to depend on claim 21.

Appropriate correction is required.

#### ***Claim Rejections – 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10,16-27,33-36 are rejected under 35 U.S.C. 102(b) as being anticipated by WO 00/79436 A2 (hereinafter Stibel) (art of record).

As for claim 1 Stibel discloses: an input module accepting a query defining a search executable on potentially retrievable information and parsing the query (See page 3 lines 23-25, also See page 9 lines 17-20); a query broadening module providing a broadened query (See page 8 lines 1-4); and a presentation module presenting at least one of the broadened query and results of a search executed on the broadened query (See page 8 lines 1-9).

As for claim 2 the rejection of claim 1 is incorporated, and further Stibel discloses: wherein providing the broadened query comprises determining a meaning for at least a portion of the query (See page 7 lines 30-32).

As for claim 3, the rejection of claim 2 is incorporated, and further Stibel discloses: wherein providing the broadened query comprises determining a related concept based on the meaning (See page 9 line 31- page 10 line 2).

As for claim 4, the rejection of claim 1 is incorporated, and further Stibel discloses: an evaluation module providing at least one broadened search characteristic to the broadened query (See page 10 lines 10-16).

As for claim 5 the rejection of claim 1 is incorporated, and further Stibel discloses: an evaluation module performing at least one of modifying, replacing, supplementing, removing, or restating the at least one search characteristic.

As for claim 5 the rejection of claim 4 is incorporated, and further Stibel discloses: an evaluation module performing at least one of modifying, replacing, supplementing, removing, or restating the at least one search characteristic (See page 10 lines 13-15 "supplementing/restating").

As for claim 6 the rejection of claim 1 is incorporated, and further Stibel discloses: a selection module selecting at least one broadening search characteristic from a set of words having a synonymous, alternate spelling, common root, or similar semantic meaning (See figures 3,4,5 and page 15 lines 19-24).

As for claim 7 the rejection of claim 1 is incorporated, and further Stibel discloses: a selection module selecting at least one broadening search characteristic from a set of words having a related conceptual meaning (See page 15 lines 5-11).

As for claim 8 the rejection of claim 1 is incorporated, and further Stibel discloses: an operator provided with at least one broadening search

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characteristic to request query broadening (See page 9 lines 21-24 “knowledge base”).

As for claim 9 the rejection of claim 8 is incorporated, and further Stibel discloses: a delimiter provided with the operator to signal ordinary meaning with respect to the operator (See page 21 lines 1-5).

As for claim 10 the rejection of claim 1 is incorporated, and further Stibel discloses: plurality of search characteristics, further comprising: a grouping module logically grouping at least two of the search characteristics into a compound search characteristic (See page 10 lines 13-16), wherein the query broadening module provides at least one broadening search characteristic for the compound search characteristic (See page 10 line 14).

As for claim 16 the rejection of claim 1 is incorporated, and further Stibel discloses: a query engine executing the broadened query (See page 120 lines 13-16).

As for claim 17 the rejection of claim 1 is incorporated, and further Stibel discloses: a graphical user interface interfacing the input module, the query broadening module, and the presentation module (See page 9 lines 17-20).

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Claims 18-27,33,34 are method claims corresponding to system claims 1-10,16,17 respectively and are thus rejected for the reasons set forth in the rejection of claims 1-10,16,17.

As for claim 35 the rejection of claim 18 is incorporated, and further Stibel discloses: A computer-readable storage medium holding code for performing the method according to Claim 18 (See page 16 lines 20-23).

Claim 36 is a apparatus claim corresponding to method claim 1, and is thus rejection for the reasons set forth in the rejection of claim 1.

### ***Claim Rejections – 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11-15 rejected under 35 U.S.C. 103(a) as being unpatentable over Stibel as applied to claim 1 above, and further in view of US 6098081 (herein Heidorn).

As for claim 11 the rejection of claim 1 is incorporated, and further Stibel discloses: one search characteristic in the broadened query (See page 10 lines

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13-15). Stibel differs from the claimed invention in that a hyperlink module presenting at least one search characteristic in the broadened query as a hyperlink, wherein the query broadening module forms the broadened query comprising the at least one search characteristic responsive to a selection of the hyperlink is not explicitly indicated. Heidorn however does disclose: a hyperlink module presenting at least one search characteristic in the broadened query as a hyperlink(See column 5 lines 21-24) , wherein the query broadening module forms the broadened query comprising the at least one search characteristic responsive to a selection of the hyperlink (See column 5 lines 26-30). It would have bee obvious to an artisan of ordinary skill in the pertinent art at the time the invention was made to have incorporated the teachings of Heidorn into the system of Stibel. The modification would have been obvious since using hyperlinks ensures that the expanded query matches what the user was expecting for a search.

As for claim 12 the rejection of claim 11 is incorporated, and further Stibel discloses:a display module displaying the broadened query (See page 10 lines 24-26) Stibel differs from the claimed invention in that a static list responsive to a highlighting of the hyperlink is not explicitly disclosed. Heidorn however does disclose a static list responsive to a highlighting of the hyperlink (See column 6 lines 6-12).



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As for claim 13 the rejection of claim 11 is incorporated, and further Hiedorn discloses: wherein the hyperlink module presents an option triggering selection of each such search characteristic in the broadened query as a hyperlink (See column 10 lines 26-30).

As for claim 14 the rejection of claim 1 is incorporated, and further Stibel discloses: one search characteristic in the broadened query (See page 10 lines 13-15). Stibel differs from the claimed invention in that wherein the presentation module presents at least one search characteristic in the broadened query as at least one of a static list, a menu of selectable search characteristics, a set of checkboxes, and a list of selectable search characteristics is not explicitly disclosed. Hiedorn however does disclose: wherein the presentation module presents at least one search characteristic in the broadened query as at least one of a static list, a menu of selectable search characteristics, a set of checkboxes, and a list of selectable search characteristics (See column 8 line 65-column 9 lines 6).

As for claim 15 the rejection of claim 1 is incorporated, and further Hiedorn discloses: wherein the presentation module presents an option triggering selection of each such search characteristic in the broadened query (See column 10 lines 27-31).

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Claims 28-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stibel as applied to claim 18 above, and further in view of Hiedorn.

Claim 18 is a method claim corresponding to claim 1.

Claims 28-32 are method claims corresponding to system claims 11-15 respectively, and are thus rejected for the same reasons as set forth in the rejection of claims 11-15.

***Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leon J. Harper whose telephone number is 571-272-0759. The examiner can normally be reached on 7:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LJH  
Leon J Harper  
January 27, 2006



MOHAMMAD ALI  
PRIMARY EXAMINER